

Town of Weare

Proposed Noise Ordinance

By virtue of the authority granted to the Town of Weare, NH pursuant to RSA 31:39 I (n), the Town hereby adopts the following ordinance regulating unreasonable noise:

- I. It shall be unlawful in the Town of Weare to cause a breach of the peace at any time by making loud and unreasonable noises in a public place, or making loud and unreasonable noises in a private place which can be heard in a public place or private places which noises disturb a person of average sensibilities.
- II. A "noise disturbance" shall mean an unreasonably loud noise which either disrupts, injures, or endangers the comfort, repose, health, peace or safety of others.
- III. It shall be unlawful to cause noise disturbance between the hours of 11:00 PM and 5:00 AM created by unloading, opening, closing or otherwise handling of boxes, crates, containers, building material, trash cans, dumpsters or similar objects.
- IV. It shall be unlawful to cause noise disturbance between the hours of 11:00 PM and 5:00 AM Monday through Sunday created by the following:

The operation or use of construction vehicles and equipment to include but not limited to bulldozers, graders, dump trucks, backhoes, cement mixers, power hammers, staple or nail guns, power tools such as drills, saws, grinders, sanders, chainsaws, lawn mowers, hedge trimmers, lawn edgers and hammers. Also noise disturbances caused by social gatherings and loud music.

Target practice at back yard ranges is also not allowed during this same 11:00 PM to 5:00 AM time period and **noise emulating from**, shall last no more than three consecutive hours per day **from said activity**, from the time the first round is fired at any other time during the day.

- V. It shall be unlawful for any person to operate a motor vehicle, on a public way or right of way, so as to make any loud, unusual, or unnecessary noise caused by any one or more of the following actions by the operator; misuse of power; exceeding tire traction limits in acceleration where there is no emergency; misuse of braking power exceeding tire traction limits in deceleration where there is no emergency; rapid accelerations by means of quick up-shifting of the transmission gears with either a clutch or manual transmission or automatic transmission; racing of engine by manipulation of the ~~accelerator, gas pedal, carburetor~~ **fuel management system** whether vehicle is in motion or stationary and causes loud noise to emit from the exhaust; and car horns and/or signal devices; the sounding of any horn or signaling device except as a danger warning; the sounding of any such device for an unnecessary and unreasonable period of time; the use of any horn, whistle or other device operated by engine exhaust.

- VI. Exemptions from this ordinance shall include the following: safety signals, warning devices and emergency pressure relief valves; Noises resulting from an authorized vehicle, when responding to an emergency call or, acting in time of emergency; Noises resulting from emergency maintenance work as performed by the Town, State or Public utilities, to include the removal of snow or debris; Any other noise resulting from activities permitted by law, for which a permit has been granted by the Town, and which noise or activity is within any noise or operational limitations imposed by the town as part of its permit approval; Snow blowers and other types of private or commercial snow removal operations; Parades and public gathering for which the Town or State has issued a permit.
- VII. Violations:
- a. First Offense: Written Warning
 - b. Second Offense: \$250.00 Fine
 - c. Third Offense and subsequent violations: \$500 Fine